

## UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR			ATTORNEY DOCKET NO.
09/576,957	05/24/00	SAKAI		Α	Q <b>5438</b> 8
-		MM91/0911	一		EXAMINER
		EAK & SEAS PLLC		TRINH,	
	LVANIA AVEN DC 20037-32			ART UNIT	PAPER NUMBER
				2822	
				DATE MAILED:	
					09/11/01

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks** 

1)  Responsive to communication(s) filed on 13 July 2001.  2a)  This action is FINAL. 2b)  This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1-28 is/are pending in the application.  4a) Of the above claim(s) 15-17 and 20-28 is/are withdrawn from consideration.  5)  Claim(s)  is/are allowed.  6)  Claim(s)  is/are rejected.  7)  Claim(s)  is/are objected to.  8)  Claim(s) 1-14.18-19 are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner.  10)  The drawing(s) filed on  is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11)  The proposed drawing correction filed on  is: a) approved by disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12)  The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)  All b)  Some *c) None of:  1.  Certified copies of the priority documents have been received.  2.  Certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.  Attachment(s)  10  Notice of References Cited (PTO-892)		Application No.	Applicant(s)					
Michael M Trinh   2822		09/576,957	SAKAI ET AL.					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 30days MRSMSHN9) FROM THE MAILING DATE OF THIS COMMUNICATION.  Elementor of time may be a validate under the provisions of 3 CFR 1.136(a). In no event, horeever, may a reply be timely filed attes SEX (8) MORTH's from the maling date of this communication.  Elementor of time may be a validate under the provisions of 3 CFR 1.136(a). In no event, horeever, may a reply be timely filed attes SEX (8) MORTH's from the maling date of this communication.  Elementor of tree ly is specified show, the malinium date of this communication of this program of the property within the standard prior of the property with the standard prior of the prior tree is prior to reply in specified for reply vall, by statute, cause the application to become ABMORDED (30 Us C. § 133). Any reply evidence by this Office in the International parent (time dylament). See 25 CFR 1.134(b).  This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1.22 is/are pending in the application.  4a) Of the above claim(s) 15-17 and 20-28 is/are withdrawn from consideration.  5) Claim(s)   is/are allowed.  6) Claim(s)   is/are allowed.  6) Claim(s)   is/are allowed.  7) Claim(s)   is/are allowed.  8) Is/are objected to by the Examiner.  Application Papers  9) The proposed drawing correction filed on   is/are: a)   accepted or b)   objected to by the Examiner.  Application Papers  9) The drawing(s) filed on   is/are: a)   accepted or b)   objected to by the Examiner.  4 Priority under 35 U.S.C. §§ 119 and 120  11) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b)   Osme 'o'   None of:  12 Certified copi	Office Action Summary	Examiner	Art Unit					
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## Part III DETAILED ACTION

\*\*\* This office action is in response to Applicant's election filed on July 13, 2001 of method claims 1-14 and 18-19. Claims 15-17,20-28 are non-elected invention, without traverse.

## Supplemental Election/Restriction

- 1. Restriction to one of the following inventions is required under 35 U.S.C. § 121:
- I. Claims 1-6, drawn to a first method of producing a solid electrolytic capacitor, classified in Class 29, subclass 25.03.
- II. Claims 7-14, drawn to a second method of producing a solid electrolytic capacitor, classified in Class 427, subclass 80.
- III. Claims 18-19, drawn to a method of coating a masking agent, classified in class 427, subclass 428.

Group I invention, Group II invention, and Group III invention are species and distinct, each from the other because Group I, claims 1-6, are drawn to a first different method at least comprising coating a masking material solution that infiltrates into the dielectric film and forms a masking layer on the infiltrated portion; while, Group II, claims 7-14, are differently drawn to a second method at least comprising coating a masking material solution around the entire circumference and cutting metal material between the first and second masking layers; and whereas, Groups II, claims 18-19 are differently drawn to another method of coating by bringing a rotating disk into contact with the substrate at desired position.

Because these inventions are species and distinct for the reasons given above and have acquired a separate status as shown by the above different classifications and as given in the above examples, the fields of search are not co-extensive and separate examination would be required, restriction for examination purposes as indicated is proper. No claim is generic.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Trinh whose telephone number is (703) 308-2554. The examiner can normally be reached on Monday through Friday, from 9:00 Am to 5:00 Pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Whitehead Jr Carl, can be reached on (703) 308-4940. The fax phone number for this Group is (703) 305-3432 or (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

-Oasc-

Michael Trinh Primary Examiner